REMARKS

The remainder of this Reply is set forth appropriate sub-headings for the convenience of the Examiner.

Amendments to Claims 1, 2, 16, 18, 20, 25 and 28 and new Claims 110-114

Claims 1, 2, 16, 18, 20, 25 and 28 have been amended and new Claims 110-114 have been added to more clearly define that which Applicants regard as the invention. Independent Claims 1, 16, 18, 20, 25 and 28 have been amended to specify that the longitudinal support member is on one side of a plane bisecting the longitudinal axis of the tubular graft body and that the second side of a plane bisecting the longitudinal axis of the graft body is free of longitudinal support. In addition, amendments to independent Claim 1 specify that the vascular repair device includes a curved longitudinal support member that is substantially reversed-mirror symmetrical with respect to the longitudinal axis of a tubular graft body of the vascular repair device.

Support for amendments to Claims 1, 16, 18, 20, 25 and 28 can be found throughout the specification and claims, as filed, for example, page 33, line 14 through page 35, line 11 and FIG. 1 of the substitute specification filed August 18, 2004. New Claims 110-114 include an additional limitation that a proximate portion of the longitudinal support member is relatively parallel to an axis of a tubular graft body of the vascular repair device at a first degree and a distal portion of the curve longitudinal support member is relatively parallel to the axis of the tubular graft by a second degree, the second degree being different from the first degree. Support for new Claims 110-114 can be found in the specification, for example, at page 33, line 14 through page 35, line 11 of the substitute specification filed on August 18, 2004.

Dependent Claim 2 has been amended to be consistent with Claim 1 from which it depends.

No new matter has been added in the claim amendments and new claims. Entry is requested.

Supplemental Information Disclosure Statement

A Supplemental Information Disclosure Statement (SIDS) is being filed concurrently with this Reply. Entry of the Supplemental IDS is respectfully requested.

Claim 69

In response to a Restriction Requirement, mailed from the U.S. Patent and Trademark Office on July 25, 2005, Applicants elected with traverse, in an Amendment filed on September 21, 2005, the invention of Group I (FIGS. 1, 2, 6 and 7). In the Office Action mailed December 7, 2005, the Examiner withdrew Claims 7-9, 22, 23, 30-39, 61-64, 68, 69, 73, 74, 78, 79, 83, 84, 88, 89, 93, 94 and 98-109. In an Amendment, filed on April 6, 2006, Applicants amended Claim 69, which had been withdrawn from consideration. In a Supplemental Response filed on October 6, 2006, Applicants acknowledged withdrawal of Claim 69. In the Preliminary Amendment that accompanied the Request for Continued Examination filed on April 27, 2009, Claim 69 was identified as "Withdrawn and previously amended."

In the current Reply, Applicants have identified Claim 69 as "withdrawn" and have listed the claim as the claim was originally filed on February 23, 2004.

Applicants' Claimed Invention

Applicants' claimed invention is directed to a vascular repair device that includes a longitudinal support member that is on one side of a plane bisecting the longitudinal axis of the tubular graft body of the vascular repair device. The second side of the plane bisecting the longitudinal axis of the graft body is free of longitudinal support. In an embodiment, the longitudinal support member is curved. A longitudinal support member on one side of the graft body causes Applicants' vascular repair device to flex asymmetrically. In other words, Applicants' claimed vascular repair device reflects in one direction, namely away from that portion of the vascular repair device that is supported by the longitudinal support member, which is the side of the graft body that does not have longitudinal support.

In another embodiment, the curved longitudinal support member employed in Applicants' vascular repair device is substantially reversed-mirror symmetrical with respect to the longitudinal axis of the tubular graft body.

Further, as set forth in new Claims 110-114, the longitudinal support member can include proximal and distant portions of the longitudinal support member that are relatively parallel to the first and second degrees, wherein the first and second degrees differ in different embodiments, thereby further biasing the direction in which the claimed vascular repair device can flex.

Advantages of Applicants' Claimed Invention

Applicants' claimed vascular repair device, as amended, includes a limitation that the longitudinal support member is on one side of a plane bisecting the longitudinal axis of the tubular graft body and a second side of the graft body formed by the plane bisecting the longitudinal axis of the graft body is free of longitudinal support. Restriction of the longitudinal support member to one side of a plane bisecting a longitudinal axis of the graft body permits Applicants' vascular repair device to flex asymmetrically, namely on the side of the graft body that is free of longitudinal support. Asymmetrically flex has the advantage of facilitating orientation of the vascular repair device within a blood vessel without collapsing of the device during its deployment.

Objection to Claims 40 and 41

Claims 40 and 41 were objected to as being improper dependent claims for failing to further limit the subject matter of the claims from which they depend.

Applicants have cancelled Claims 40 and 41, thereby obviating the rejection for those claims.

Rejection of Claims 18, 53 and 80-82 Under 35 U.S.C. § 102(b)

Claims 18, 53 and 80-82 are rejected under 35 U.S.C. § 102(b) as being anticipated by WO 98/23242, by Robinson *et al.* (hereinafter "Robinson"). The Examiner stated that FIG. 21 of Robinson shows a tubular graft body having a proximal and a distal end that includes a structural framework having at least two stents 38, 40 each connected to the tubular body adjacent to the proximal distal ends to define the separation distance therebetween, wherein the longitudinal support member 50' is shorter than the separation distance. The Examiner further stated that the support members connected to the graft body between at least two stents form a gimbal at at least

one of said proximal and distal ends of said body. In addition, the Examiner stated with respect to Claim 53, that the graft was fully capable of expanding to a diameter of a blood vessel in which it is implanted.

Robinson describes an endoprosthetic implant formed from a plurality of separate individual components that are inserted sequentially and transluminally into a bifurcated vascular region. As shown in FIG. 6 and as described on page 14, lines 1-2, the prosthesis of Robinson includes a frame 36 that preferably includes a connection between anchor 28 and stent 40 to form elongate struts 50. As stated by Robinson on page 14, lines 7-10, "the [elongate] struts 50 should be connected to the anchor 38 in stent 40 in a manner that will reduce the risk of development of stress concentrations on the frame when the device is flexed at any time during its use." According to Robinson, at page 14, lines 5 through 12, to accomplish reduced development of stress concentrations, "the struts 50 may be attached ... by welding to the stent 40 and by sutures 52 that also serve to attach the anchor 38 and stent 40 to the graft 22."

Applicants' claimed invention, as set forth in independent Claim 18, is directed a vascular repair device that includes, *inter alia*, a longitudinal support member connected to a graft body on one side of a plane bisecting a longitudinal axis of the graft body that, on the other side of the plane, is free of longitudinal support. Dependent Claims 53 and 80-82 further limit independent Claim 18 by the size of the graft body and the profile or shape of the stents of the vascular repair device.

Robinson does not teach a vascular repair device that includes a longitudinal support member on one side of a plane bisecting the longitudinal axis of the graft body while the graft body on the other side of the plane is free of longitudinal support, as set forth in Claims 18, 53 and 80-82, as amended. As shown in FIG. 6 of Robinson, elongate struts 50 are located around the entirety of the frame 36, not on one side of the frame 36. Therefore, the subject matter of Claims 18, 53 and 80-82, as amended, is novel in view of Robinson and meets the requirements of 35 U.S.C. § 102(b).

Rejection of Claims 1-4, 6, 10, 14, 15, 19, 40, 41, 43, 47, 49, 51, 65-67 and 70-72 Under 35 U.S.C. § 103(a)

Claims 1-4, 6, 10, 14, 15, 19, 40, 41, 43, 47, 49, 51, 65-67 and 70-72 are rejected under 35 U.S.C. §103(a) as being unpatentable over Robinson in view of U.S. Patent No. 5,545,210, issued to Hess *et al.* (hereinafter "Hess"). The Examiner stated that FIG. 19 of Robinson shows a tubular graft body 22' having a longitudinal axis in a structural framework with at least two Z-stents 38, 40 connected to the graft body and a longitudinal member 50' connected to the graft body. The Examiner further stated that Robinson does not state that the longitudinal support member is curved to have the centerline parallel to the longitudinal axis and the centerline aligned with one another so that the support member is reverse-mirror symmetrical with respect to the longitudinal axis. The Examiner then stated that Hess teaches that stents are connected with a curved (or S-shape) longitudinal support member 7 that align with the longitudinal axis and is reverse mirror symmetrical with respect to its length. The Examiner further stated that the stent graft of Robinson provides for the ability to travel tortuous vessels and expand to different diameters if necessary in a vessel. In addition, the Examiner stated that one of ordinary skill in the art would modify the longitudinal support member of Robinson to use nitinol, as described by Hess.

Applicants have cancelled Claims 15, 40, 41 and 49 thereby obviating the rejection for these claims.

As discussed above, Robinson describes an endoprosthesis implant that includes elongate struts 50 that connect anchor 38 and stent 40 around the entire circumference of the frame 36 (FIG. 6).

Robinson does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting a longitudinal axis of a graft body of the vascular repair device in which the second side of the plane bisecting the graft body is free of longitudinal support, as set forth in independent Claims 1 and 18, as amended, from which Claims 2-4, 6, 10, 14, 19, 43, 47, 51, 65-67 and 70-72 depend, directly or indirectly.

Hess describes a permanent tissue supporting device 1 that includes first and second sections 1a, 1b joined by bridging member 7, as shown, for example, in FIG. 3. The bridging member 7 of Hess can be straight, helical, curved or wavy. As shown in FIG. 2 of Hess, which is a cross-sectional view of the device, the first and second sections of the tissue-supporting

device and, thus, bridging members are connected to the tissue-supporting device along its entirety, not on one plane of the graft body, as is required of the longitudinal support member of Applicants' claimed vascular repair device, as amended.

Hess does not remedy the deficiencies of Robinson to teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting a longitudinal axis of the graft body and a graft body that is free of longitudinal support on the second side of the plane, as claimed by Applicants. One of skill in the art would not be motivated by the teachings of Robinson, alone or in combination with Hess, to modify the frame of Robinson to include a longitudinal support member that is located on one side of a plane bisecting a longitudinal axis of the frame where the other side of the frame is free of longitudinal support. Longitudinal support on both sides of a graft body of a vascular repair device would not permit flexing of the device in one direction, i.e., asymmetrically, which is a consequence of longitudinal support on one plane of the graft body of Applicants' claimed vascular repair device, as amended. Thus, the subject matter of Claims 1-4, 6, 10, 14, 19, 43, 47, 51, 65-67 and 70-72, as amended, meets the requirements of 35 U.S.C. § 103 in view of Robinson, alone or in combination with Hess.

Rejection of Claims 5, 11, 12, 13, 16, 17, 42 and 75-77 Under 35 U.S.C. § 103(a)

Claims 5, 11, 12, 13, 16, 17, 42 and 75-77 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson in view of Hess in further in view of U.S. Patent No. 6,821,291, issued to Bolea *et al.* (hereinafter "Bolea"). The Examiner stated that although Robinson and Hess fail to disclose a longitudinal support member with looped or rounded ends at the extremity, Bolea teaches a stent with a wire member having looped or rounded ends at the extremities, as shown in FIG. 22.

Claims 5, 11, 12 and 13 depend from independent Claim 1, which, as discussed above, requires that a curved longitudinal support member of Applicants' vascular repair device is on one side of a plane bisecting the longitudinal axis of a graft body and that the graft body be free of longitudinal support on a second side of the plane.

Independent Claim 16 also requires that the longitudinal support member of the vascular repair device be on one side a plane bisecting the longitudinal axis of the graft body and that the other side of the plane, the graft body is free of longitudinal support. Dependent Claims 17, 42 and 75-77 further limit, directly or indirectly, independent Claim 16.

As discussed above, Robinson, alone, or in combination with Hess does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting the longitudinal axis of a graft body and on the other side of the plane, the graft body is free of longitudinal support, as required in Applicants' claimed invention, as amended.

Bolea describes a removable stent system and a method to extract the removable stent from the target site.

Bolea does not remedy the deficiencies of Robinson, alone, or in any combination with Robinson or Hess, to teach or suggest a vascular repair device, as claimed by Applicants. Specifically, Bolea does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting the longitudinal axis of a graft body and a graft body, on the other side of the plane that is free of longitudinal support. One of skill in the art would not be motivated by the teachings of Bolea, alone or in, combination with Hess, to modify the endoprosthetic implant of Robinson to include a longitudinal support member on one side of a plane bisecting a longitudinal axis of a graft body of the vascular repair device where the other side of the plane, the graft body is free of longitudinal support. The devices of Robinson and Hess include elongate struts and longitudinal members, respectively, that are located around the entirety of the device. Bolea does not describe any vascular repair device that includes a graft body and longitudinal support member. Therefore, Applicants' claimed invention, as amended, and as set forth in Claims 5, 11, 13, 16, 17, 42 and 75-77 meets the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone, or in any combination with Hess and Bolea.

Rejection of Claims 48, 50 and 52 Under 35 U.S.C. § 103(a)

Claims 48, 50 and 52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson, in view of Hess and further in view of U.S. Patent No. 6,524,335, issued to Hartley *et al.* (hereinafter "Hartley"). The Examiner stated that Hartley teaches in FIG. 2 a stent graft with a distal stent 1 having an apex more than another of the stents. The Examiner further stated that it would have been obvious to one of ordinary skill in the art to use stents with at least one more

apex than other stents to better anchor the vessel, as taught by Hartley, and incorporate the stent graft of Robinson, as modified by Hess, to improve the seal of the graft against the wall.

Applicants have cancelled Claim 50, thereby obviating the basis for rejection of this claim.

As discussed above, Robinson, alone or in combination with Hess, does not teach or suggest a vascular repair device as set forth in Applicants' claimed invention, as amended. Specifically, Robinson, alone or in combination with Hess, does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting the longitudinal axis of the graft body and a second side of the graft body being free of longitudinal support.

Hartley describes a prosthesis that includes stents sutured to graft material.

Hartley, does not remedy the deficiencies of Robinson, alone or in combination with Hess, to teach or suggest Applicants' claimed invention, as set forth in independent Claim 1 and 16, from which Claims 48 and 52 depend, respectively. Specifically, Hartley does not teach or suggest a vascular repair device that includes a curved longitudinal support member on one side of a plane bisecting a longitudinal axis of a graft body and a graft body, on the second side of the plane, being free of longitudinal support as set forth in Applicants' claimed vascular repair device, as amended. One of skill in the art would not be motivated by the teachings of Robinson, alone or in any combination with Hess or Hartley, to modify the prosthesis of Robinson to include a longitudinal support member that is located asymmetrically on a graft body of the prosthesis. Therefore, the subject matter of Claims 48 and 52, as amended, meets the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in any combination with Hess and Hartley.

Rejection of Claim 54 Under 35 U.S.C. § 103(a)

Claim 54 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson in view of Hartley. The Examiner stated that although Robinson fails to disclose a distal most stent with one more apex than any of the other stents, Hartley teaches a stent graft with a distal stent having at least one more apex than other of the stents. The Examiner further stated that it would have been obvious to one of ordinary skill in the art to use stents with at least one apex other than

other stents to better anchor the vessel, as taught by Hartley, and incorporate the stent graft of Robinson to improve the seal of the graft against the vessel.

As discussed above, Robinson, alone or in combination with Hartley, does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting the longitudinal axis of a graft body and a second side of a plane where the graft body is free of longitudinal support, as claimed by Applicants, as amended.

Dependent Claim 54 further limits independent Claim 18, which requires that the longitudinal support member be located on one side of a plane bisecting a longitudinal axis of the graft body of the vascular repair device. One of skill in the art would not be motivated by the teachings of Robinson, in which elongate struts 50 are around the entirety of the circumference of frame 36, to modify the endoprosthetic implants described by Robinson, alone or in combination with Hartley, to restrict a longitudinal support member to one side of a plane bisecting the longitudinal axis of a graft body so that on the second side of the plane the graft body is free of longitudinal support, as claimed by Applicants. Therefore, the subject matter of Claim 54, as amended, meets the requirements of 35 U.S.C. § 103(a) in view or Robinson alone, or in combination with Hartley.

Rejection of Claims 20, 21, 28, 55, 59, 85-87 and 95-97 Under 35 U.S.C. § 103(a)

Claims 20, 21, 28, 55, 59, 85-87 and 95-97 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson, in view of U.S. Patent No. 6,099,558, issued to White *et al.* (hereinafter "White"). The Examiner stated that although Robinson fails to disclose pairs of stents or a third stent, White teaches the stent graft with the plurality of stents in the tubular graft body. With respect to Claims 55 and 59, the Examiner stated that the graft is fully capable of expanding to a diameter of a vessel in which it is implanted.

As discussed above, Robinson does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting longitudinal axis of the graft body and a graft body, on the second side of the plane that is free of longitudinal support, as, which is an element of Applicants' claimed invention, as amended. One of skill in the art would not be motivated by the teachings of Robinson to limit a longitudinal support member to one side of a plane bisecting a longitudinal axis of a graft body, as claimed by Applicants.

White describes intraluminal grafts and methods of positioning intraluminal grafts in branching vessels within a patient's body.

White does not remedy the deficiencies of Robinson, to teach or suggest, a vascular repair device that includes a longitudinal support member on one side of a plane bisecting a longitudinal axis the graft body of the vascular repair device and a graft body, on the other side of the plane being free of longitudinal support, which is a required feature of Applicants' claimed invention, as set forth in independent Claims 20 and 28 and dependent Claims 21, 55, 59, 85-87 and 95-97, as amended. One of skill in the art would not be motivated by the teachings of Robinson, alone or in combination with White, to restrict a longitudinal support member to one side of a plane bisecting a longitudinal axis of a graft body, as required by Applicants' claimed invention, as amended. Therefore, the subject matter of Claims 20, 21, 28, 55, 59, 85-87 and 95-97, as amended, meets the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in combination with White.

Rejection of Claims 24, 29, 44 and 46 under 35 U.S.C. § 103(a)

Claims 24, 29, 44 and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson, in view of White and further in view of Hess. The Examiner stated that Hess discloses a curved longitudinal support member that is not taught by Robinson as modified with White. The Examiner further stated that it would have been obvious to one of ordinary skill in the art to utilize the curved support member taught by Hess with the stent graft of Robinson, as modified by White, to increase the flexibility of the stent graft.

Dependent Claims 24 and 29 further limit independent Claims 20 and 28 to specify that the longitudinal support member is curved. The longitudinal support member of independent Claims 20 and 28 is on one side of a plane bisecting a longitudinal axis of the graft body of the vascular repair device while the other side of the graft body is free of longitudinal support. Dependent Claims 44 and 46 further limit dependent Claim 24 to specify, *inter alia*, that the support member is substantially reverse mirror symmetrical with a centerline of the support member.

As discussed above, Robinson, does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting a longitudinal axis of the graft body of the vascular repair device and the other side of the graft body free of longitudinal support. Neither White nor Hess remedy the deficiencies of Robinson to teach a vascular repair device that includes a longitudinal support member, as claimed by Applicants. One of skill in the art would not be motivated by the teachings of Robinson, alone or in any combination with White or Hess, to modify the elongate struts of the frame of Robinson, which surround the frame and are not located on only one side of a plane bisecting the frame of Robinson, to form a vascular repair device that includes a longitudinal support located asymmetrically on the graft body of the device, as claimed by Applicants.

In addition, the Examiner's conclusion that one of skill in the art would use the curved support member of Hess in combination with the stent graft of Robinson, as modified by White, to obtain Applicants' claimed vascular repair device to improve flexibility of the device, is a mischaracterization of Applicants' claimed vascular device, as amended. Applicants' vascular repair device, as amended, is biased for flexibility in a plane that bisects the longitudinal axis of the graft body on a side of the graft body that is free of longitudinal support. Longitudinal support of both planes of the graft body would cause the vascular repair device to have decreased, not increased, flexibility. In other words, longitudinal support of both planes of the graft body of Applicants' vascular repair device would prevent biasing the direction in which the vascular repair device can flex, which would not facilitate orientation of the device with the aorta of a patient without collapse of the device during deployment. Therefore, the subject matter of Claims 24, 29, 44 and 46, as amended, meets the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in any combination with White or Hess.

Rejection of Claims 56 and 60 Under 35 U.S.C. § 103(a)

Claims 56 and 60 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson, in view of White and further in view of Hartley. The Examiner stated that although Robinson, as modified by White, failed to disclose a distal-most stent with one apex more than another stent, Hartley teaches a stent graft with the distal stent having an apex having more than any of the other stents.

Claims 56 and 60 depend from independent Claims 20 and 28, respectively, which require that the longitudinal support member of Applicants' vascular repair device be on one side of a plane bisecting a longitudinal axis of a graft body while the other side of the plane, having a graft body, is free of longitudinal support.

As discussed above, Robinson, alone or in any combination with White and Hartley, does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting a longitudinal axis of the graft body with the graft body free of longitudinal support on the other side of the plane. One of skill in the art would not be motivated by the teachings of Robinson, alone or in combination with either or both of White and Hartley, to modify the modular prosthesis of Robinson, to include a longitudinal support member on one side of a plane bisecting a longitudinal axis of a graft body and having the second plane of the graft body being free of longitudinal support. Therefore, the subject matter of Claims 56 and 60, as amended, meets the requirements of 35 U.S.C. § 103(a).

Rejection of Claims 25-27, 45, 57 and 90-92 Under 35 U.S.C. § 103(a)

Claims 25-27, 45, 57 and 90-92 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson, in view of Hess and White. The Examiner stated that Robinson fails to disclose a longitudinal support member that is curved or that includes pairs of stents at each end. The Examiner also stated that Hess teaches that a curved longitudinal support member is advantageous to use in tortuous vessels between pairs of stents. The Examiner also stated that White teaches a plurality of stents for use with the graft for radial support.

As discussed above, Robinson, alone or in any combination with Hess or White, fails to teach a vascular repair device that includes a longitudinal support member on one side of a plane bisecting the longitudinal axis of a graft body and a graft body that is free of longitudinal support on the other side of the plane, which is an essential element of Applicants' claimed invention, as amended. In addition, as discussed above, one of skill in the art would not be motivated by the teachings of Robinson, alone or in any combination with Hess or White, to modify the frame of the stent graft of Robinson to limit a longitudinal support member to one side of a plane bisecting a longitudinal axis of a graft body and a graft body that is free of a longitudinal support member on a second side. Therefore, the subject matter of Claims 25-27, 45, 57 and 90-92, as amended, meets the requirements of 35 USC § 103(a).

Rejection of Claim 58 Under 35 U.S.C. § 103(a)

Claim 58 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson, in view of Hess and White, and further in view of Hartley. The Examiner stated it would have been obvious to one of ordinary skill in the art to use stents with at least one more apex than other stents to better anchor in the vessel as taught by Hartley and to incorporate into the stent graft of Robinson, as modified by Hess and White, to improve the seal of the graft against the vessel.

Dependent Claim 58 further limits independent Claim 25, which is directed to a vascular repair device that includes, *inter alia*, a curved longitudinal support member on one side of a plane bisecting a longitudinal axis of a graft body and a graft body that is free of longitudinal support on the other side of the plane.

As discussed above, Robinson, does not teach or suggest a vascular repair device that includes a longitudinal support member on one side of a plane bisecting the longitudinal axis of a graft body, as claimed by Applicants. Hess, White and Hartley, each alone or in any combination, do not remedy the deficiencies of Robinson to teach a vascular repair device includes a longitudinal support member on one side of a plane bisecting the longitudinal axis of a graft body, as claimed by Applicants. In addition, as discussed above, one of skill in the art would not be motivated to modify the endoprosthetic implant of Robinson to restrict a longitudinal support member to one side of a plane bisecting a longitudinal axis of a graft body, as claimed by Applicants. The frame described by Robinson includes connections between an anchor and a stent in the form of elongate struts that are around the entire circumference of the frame, not on one side of a plane bisecting the longitudinal axis of the frame and the frame being free of longitudinal support on the other side. Therefore, the subject matter of Claim 58, as amended, meets the requirements of 35 USC § 103(a) in view of Robinson, alone or in any combination with Hess, White or Hartley.

SUMMARY AND CONCLUSIONS

Applicants have cancelled Claims 40 and 41, thereby obviating the Examiner's objection to those claims. Claims 18, 53 and 80-82, as amended, meet the requirements of 35 U.S.C. § 102(b) in view of Robinson. Claims 1-4, 6, 10, 14, 19, 43, 47, 51, 65-67 and 70-72, as amended, meet the requirements of 35 U.S.C. § 103 in view of Robinson, alone or in combination with Hess. Claims 5, 11, 12, 13, 16, 17, 42 and 75-77, as amended, meet the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in any combination with Hess and Bolea. Further, Claims 48 and 52, as amended, meet the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in any combination with Hess and Hartley. Claim 54, as amended, meets the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in combination with Hartley. Claims 20, 21, 28, 55, 59, 85-87 and 95-97, as amended, meet the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in combination with White. In addition, Claims 24, 29, 44 and 46, as amended, meet the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in any combination with White and Hess. Further, Claims 56 and 60, as amended, meet the requirements of 35 USC § 103(a) in view of Robinson, alone or in any combination with White and Hartley. Furthermore, Claims 25-27, 45, 57 and 90-92, as amended, meet the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in any combination with Hess and White. Finally, Claim 58, as amended, meets the requirements of 35 U.S.C. § 103(a) in view of Robinson, alone or in any combination with Hess, White or Hartley.

As amended, Applicants believe that the claims are in condition for allowance and respectfully request reconsideration and withdrawal of all outstanding objections and rejections. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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